

COMMITTEE ON GOVERNMENT REFORM
TOM DAVIS, CHAIRMAN



MEDIA ADVISORY

For Immediate Release
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**Davis to Examine ‘Foreign Influence’
Factors in Security Clearance Investigations**

What: Government Reform Committee Oversight Hearing,
“Can You Clear Me Now? Weighing ‘Foreign Influence’ Factors in
Security Clearance Investigations”

When: THURSDAY, July 13, 2006, 9:30 A.M.

Where: ROOM 2154, RAYBURN HOUSE OFFICE BUILDING

Background: The federal government’s personnel security clearance process has come under increasing criticism since the terrorist attacks of September 11, 2001 created an ever-greater demand for security clearances and other types of background investigation. Investigative work by the Government Accountability Office in May 2004 revealed a backlog of investigations of private sector clearance applicants of almost 190,000 and that the total time for these applicants to receive their clearance had ballooned to 375 days.

These delays pervert the federal contracting market by inflating the salary demands of cleared personnel, increasing costs to the taxpayer. In its final report, the 9/11 Commission also recognized the importance of fixing the personnel security clearance system, calling for a single federal agency, “responsible for providing and maintaining security clearance, ensuring uniform standards, and maintaining a single database [of cleared personnel].”

Previously, Chairman Davis and the Government Reform Committee have examined the lack of reciprocity among agencies in recognizing security clearances and other obstacles that have created delays in the

processing of clearances.

This hearing will take a particular look at the use of “foreign influence” factors to deny clearances.

Two of 13 key issues for government adjudicators to consider when reviewing an application for a security clearance are the applicant’s susceptibility to blackmail or influence by foreign agents interested in stealing classified national security information. This is particularly important since the government, spurred by the 9/11 Commission’s report, has made it a priority to hire skilled linguists to conduct counterterrorism work, many of whom necessarily have foreign connections. Factors that adjudicators consider to determine potential foreign influence include contact with a foreign family member, connections to foreign individuals, governments or groups that create a conflict of interest, foreign investments, dual citizenship, or possession of a foreign passport.

On December 29, 2005, National Security Advisor Stephen J. Hadley issued a memorandum accompanying revised Adjudicative Guidelines for Determining Eligibility for Access to Classified Information. These regulations were developed in consultation with the Office of Management and Budget and were intended to be immediately implemented across all government agencies responsible for issuing security clearances. Among other changes to the original guidelines issued in 1997, the revised version explicitly allows adjudicators to take into consideration the country in question and distinguish between those that are of obvious concerns and those that may have very low threat potential.

The consistent application of these revised guidelines across all clearance-granting agencies of the government is an important precondition for achieving reciprocal recognition of clearances. However, the Committee has learned that the Department of Defense has unspecified legal concerns with implementing them. The Committee intends to use this hearing to learn what concerns the Defense Department has with implementation and explore ways to address them.

Witnesses:

Panel I

Robert Andrews, Deputy Under Secretary for Counterintelligence and Security, U.S.
Department of Defense

Mr. J. William Leonard, Director, Information Security Oversight Office, National
Archives and Records Administration

Panel II

Mark S. Zaid, Esq., Managing Partner, Krieger & Zaid law firm.

Doug Wagoner, Chairman, Intelligence Subcommittee. Information Technology

Association of America (*on behalf of* The Security Clearance Coalition)

Walter S. Nagurny, Director, Industrial Security Office, EDS U.S. Government Solutions

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